

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

AHERN RENTALS, INC.,

Case No. 2:16-cv-00874-JAD-PAL

Plaintiff,

ORDER

v.

ANDRUS TRANSPORTATION SERVICES  
INCORPORATED, et al.,

Defendants.

The court conducted a hearing on the parties' Stipulation and Order to Stay Discovery (ECF No. 22). William Volk appeared on behalf of the Plaintiff, and Steven Abbott appeared on behalf of the Defendants. The court heard arguments from counsel. Having heard from counsel, and taken a "preliminary peek" at the pending motion to dismiss and opposition the court is not satisfied that a stay is appropriate. The motion is not dispositive of all claims, and counsel were unable to articulate how a stay would advance the goal or Rule 1, the "just speedy and inexpensive determination" of this case. This is a relatively simple dispute over the loss or destruction of a forklift in a vehicle accident while it was being transported. The court will deny the parties' request to stay this matter, but will extend the current discovery cutoff and related case management deadlines by 45 days. Accordingly,


**IT IS ORDERED** that:

1. The parties' Stipulation and Order to Stay Discovery (ECF No. 22) is **DENIED**.
2. The following discovery plan and scheduling order deadlines are extended as follows:
  - a. Last date to complete discovery: **December 2, 2016**.
  - b. Last date to file dispositive motions: **January 3, 2017**.

1 c. Last date to file joint pretrial order: **February 2, 2017**. In the event  
2 dispositive motions are filed, the date for filing the joint pretrial order shall be  
3 suspended until 30 days after a decision of the dispositive motions.

4 d. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections  
5 thereto, shall be included in the pretrial order.

6 DATED this 27th day of September, 2016.

7  
8   
9 PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE